



Docket No.: M4065.0954/P954  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

Howard E. Rhodes

Allowed: November 28, 2005

Application No.: 10/689,948

Confirmation No.: 4026

Filed: October 22, 2003

Art Unit: 2814

For: DUAL CAPACITOR STRUCTURE FOR  
IMAGERS AND METHOD OF  
FORMATION

Examiner: W. S. Louie

**COMMENTS ON STATEMENT OF REASONS**  
**FOR ALLOWANCE UNDER 37 CFR §1.104(E)**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicant has reviewed the Examiner's Statement of Reasons for Allowance contained in the September 1, 2005 Office Action and November 28, 2005 Notice of Allowance regarding the above-identified application. While Applicant agrees in part with the Examiner's stated reasons for allowance, Applicant notes that the allowed claims define further unique combinations of limitations not found in the prior art and not indicated in the Examiner's stated reasons. Therefore, the stated reasons for allowance should be interpreted as highlighting only some of the reasons why the claims are allowable.

As usual, the scope of the claims should be interpreted based on the actual language of the allowed claims, and no further limitation of the claims should be inferred from the Examiner's Statement of Reasons for Allowance.

Dated: February 28, 2006

Respectfully submitted,

By   
Thomas J. D'Amico

Registration No.: 28,371

Amanda S. Pitcher

Registration No.: 54,374

DICKSTEIN SHAPIRO MORIN &  
OSHINSKY LLP  
2101 L Street NW  
Washington, DC 20037-1526  
(202) 785-9700  
Attorneys for Applicant